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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/617,165	07/08/2003	Prashant G. Joshi	1302-49	2726
28249 DII WODTH 8	7590 12/12/2007 & BARRESE, LLP		EXAM	INER
333 EARLE O	VINGTON BLVD.	CAIN, EDWARD J		
SUITE 702 UNIONDALE, NY 11553			ART UNIT	PAPER NUMBER
ĺ			1796	
			MAIL DATE	DELIVERY MODE
			12/12/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

1)⊠ Responsive to communication(s) filed on <i>Q2 November 2007</i> .  2a)□ This action is FINAL. 2b)⊠ This action is non-final.  3)□ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4)⊠ Claim(s) <i>1,4,6-9.15-17.23-25,30-38 and 42-49</i> is/are pending in the application.  4a) Of the above claim(s) is/are withdrawn from consideration.  5)⊠ Claim(s) <i>6,9,15-17.23-25,30-35,37.38,43-45 and 47-49</i> is/are allowed.  6)□ Claim(s) is/are objected to.  8)□ Claim(s) is/are objected to.  8)□ Claim(s) are subject to restriction and/or election requirement.  Application Papers  9)□ The specification is objected to by the Examiner.  10)□ The drawing(s) filed on is/are: a)□ accepted or b)□ objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11)□ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12)□ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a)□ All b)□ Some * c)□ None of:  1.□ Certified copies of the priority documents have been received in Application No  3.□ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.			Application No.	Applicant(s)				
Edward J. Cain   1796	Office Action Summary		10/617,165	JOSHI ET AL				
The MALLMC DATE of this communication appears on the cover sheet with the correspondence address — Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.  Eatherwork of them may be evaliable under the provision of 37 CPR 1.138(a), in no event, mover, may a reply to bringly liked  If NO period for regby is specified above, the maximum statutory period will apply and will expire SIX (8) MONTHS from the malling date of this communication.  Fallive for regive is specified above, the maximum statutory period will apply and will expire SIX (8) MONTHS from the malling date of this communication.  Fallive for regive is specified above, the maximum statutory period will apply and will expire SIX (8) MONTHS from the malling date of this communication.  Fallive for regive is provided by the Difference of the Communication of the Communication of the Communication of this communication of the Commu			Examiner	Art Unit				
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Application/Control Number:

10/617,165 Art Unit: 1796

The request for continued examination received 02 November 2007 has been made of record.

The rejections under 35 USC 103 contained in the previous office action are withdrawn in view of applicants' arguments and amendments.

Claims 1, 4, 6-9, 15-17, 23-25, 30-38 and 42-49 are pending.

Claims 1, 4, 7, 8, 36, 42 and 46 are rejected under 35 U.S.C. 102(b) as being anticipated by Cruise.

This rejection is maintained against the above indicated claims for reasons as set forth in the previous office action.

Applicants' arguments appear to focus only on the "above 100 phr" limitation of claim 36.

As stated previously, the "about 100" phr language of the reference is seen as encompassing amounts at least slightly above 100 phr.

Claims 6, 9, 15-17, 23-25, 30-35, 37, 38, 43-45 and 47-49 are allowed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edward J. Cain whose telephone number is (571) 272-1118. The examiner can normally be reached on M-F, 10:00-6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wu can be reached on (571) 272-1114. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

10/617,165 Art Unit: 1796

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Edward J. Cain Primary Examiner

Art Unit 17/96